

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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RUTILIO AREVALO,

Plaintiff,

No. 09-03781 JSW

v.

BRUCE PRATT, et al.,

Defendants.

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE**

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Plaintiff filed this action on August 17, 2009, and the matter is set for an initial case management conference on December 11, 2009. There has been no further action on this case and it does not appear that Defendants have been served, although the deadline to do so is approaching rapidly. *See* Fed. R. Civ. P. 4(m). In addition, Plaintiff has not filed a Case Management Statement. Accordingly, Plaintiff is HEREBY ORDERED TO SHOW CAUSE why this matter should not be dismissed without prejudice for failure to prosecute.

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Plaintiff's response to this Order to Show Cause shall be due by December 10, 2009. If Plaintiff fails to respond to the Order to Show Cause, the matter shall be dismissed without prejudice without further notice to Plaintiff.

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1 The case management conference set for December 11, 2009 remains on calendar
2 pending further order of the Court.

3 **IT IS SO ORDERED.**

4 Dated: December 7, 2009

Jeffrey S. White
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JEFFREY S. WHITE
6 UNITED STATES DISTRICT JUDGE